

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES PELTIER (#155302),

Plaintiff,

CASE NO. 2:15-CV-13717
JUDGE ROBERT H. CLELAND
MAGISTRATE JUDGE ANTHONY P. PATTI

v.

CONSTANCE DERAKHSHANDEH,

Defendant.

/

ORDER DENYING WITHOUT PREJUDICE
PLAINTIFF'S JANUARY 14, 2016 MOTION TO MEDIATE (DE 13)

Plaintiff Charles Peltier (#155302) is currently incarcerated at the MDOC's Thumb Correctional Facility (TCF) in Lapeer, Michigan.¹ On October 15, 2015, while incarcerated at TCF, Plaintiff filed the instant lawsuit against Defendant Constance Derakhshandeh, who is identified as a TCF Corrections Officer. (DE 1) Defendant has yet to appear in this case, although the U.S. Marshal's efforts at service of process are ongoing.

This case has been referred to me for pretrial matters. (DE 9.) Currently before the Court is Plaintiff's January 14, 2016 motion to mediate (DE 13), in which he requests mediation of his case before the Wayne County Mediation

¹ See www.michigan.gov/corrections, "Offender Search."

Tribunal Association pursuant to E.D. Mich. LR 16.3. He also appears to request that hearings and/or mediation occur at TCF.

Upon consideration, Plaintiff's motion is **DENIED WITHOUT PREJUDICE**. To be sure, the Court's local rules do contain provisions on alternative dispute resolution (ADR), facilitative mediation, case evaluation, settlement conferences and other ADR procedures (*see, i.e.*, E.D. Mich. Local Rules 16.3-16.7). However, while the Court appreciates Plaintiff's acknowledgment of the potential economies and efficiencies experienced with mediation, mediation is not appropriate at this stage of the case. Once Defendant has been served, Plaintiff is encouraged to discuss the possibility of mediation with Defendant's attorney, to see if they can agree upon a stipulation to that effect. Moreover, the Court will endeavor to keep this request in mind when it enters its initial scheduling order in this case.

IT IS SO ORDERED.

Dated: January 29, 2016

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on January 29, 2016, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager